

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FRANK VELIZ,

Case Number: 05-60039

Plaintiff,

HON. MARIANNE O. BATTANI

v.

MICHAEL BOUCHARD, et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The Court having reviewed the Magistrate Judge's Report and Recommendation, (Doc. 51), and no objections having been filed thereto,

IT IS SO ORDERED that the Report and Recommendation is **ADOPTED**.

Defendant's motion for summary judgment, (Doc. 48), is **GRANTED**. Defendant's request for costs and attorneys' fees is **DENIED**.

s/Marianne O. Battani

MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

Dated: January 7, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served upon Plaintiff and counsel of record on this date by ordinary mail and electronic filing.

s/Colette Motowski

Secretary